



General Assembly

February Session, 2008

Raised Bill No. 294

LCO No. 1816

01816_____TRA

Referred to Committee on Transportation

Introduced by:
(TRA)

***AN ACT PROHIBITING OPEN ALCOHOLIC BEVERAGE CONTAINERS
IN MOTOR VEHICLES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2008*) (a) For the purposes of
2 this section:

3 (1) "Alcoholic beverage" has the same meaning as provided in
4 section 30-1 of the general statutes;

5 (2) "Highway" has the same meaning as provided in section 14-1 of
6 the 2008 supplement to the general statutes;

7 (3) "Open alcoholic beverage container" means a bottle, can or other
8 receptacle that (A) contains any amount of an alcoholic beverage, and
9 (B) (i) is open or has a broken seal, or (ii) the contents of which are
10 partially removed;

11 (4) "Passenger" means any occupant of a motor vehicle other than
12 the operator; and

13 (5) "Passenger area" means (A) the area designed to seat the

14 operator of and any passenger in a motor vehicle while such vehicle is
 15 being operated on a highway, or (B) any area of a motor vehicle that is
 16 readily accessible to such operator or passenger; except that, in a motor
 17 vehicle not equipped with a trunk, "passenger area" does not include a
 18 locked glove compartment, the area behind the last upright seat closest
 19 to the rear of the motor vehicle or an area not normally occupied by
 20 the operator of or passengers in such motor vehicle.

21 (b) No person shall possess an open alcoholic beverage container
 22 within the passenger area of a motor vehicle while such motor vehicle
 23 is on any highway or highway right-of-way in this state.

24 (c) The provisions of subsection (b) of this section do not apply to (1)
 25 a passenger in a motor vehicle designed, maintained and primarily
 26 used for the transportation of persons for hire, (2) a passenger in the
 27 living quarters of a recreational vehicle, as defined in section 14-1 of
 28 the 2008 supplement to the general statutes, or (3) a passenger in a
 29 privately-owned motor vehicle operated by a person in the course of
 30 such person's usual employment transporting passengers at the
 31 direction of such person's employer.

32 (d) Any person who violates the provisions of subsection (b) of this
 33 section shall commit an infraction and be fined ninety dollars for a first
 34 violation, be fined two hundred dollars for a second violation and be
 35 fined five hundred dollars for any subsequent violation.

36 Sec. 2. (*Effective July 1, 2008*) Commencing July 1, 2008, and annually
 37 thereafter, the sum of four million dollars shall be transferred from the
 38 General Fund to the Special Transportation Fund, and shall be deemed
 39 appropriated to the Department of Transportation, for safety
 40 enforcement and hazard elimination programs.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2008</i>	New section
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Sec. 2	July 1, 2008	New section
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Statement of Purpose:

To prohibit the possession of an open alcoholic beverage container in the passenger area of a motor vehicle while that motor vehicle is on any highway in this state.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]